

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA  
 CIVIL DOCKET ENTRIES FOR CASE A04-0049--CV (JWS)  
 "ENOCH ADAMS JR ET AL V TECK COMINCO AK INC"

Including terminated parties, excluding terminated counsel

Presiding Judge: The Honorable John W. Sedwick, U.S. District Judge  
 Magistrate Judge:  
 Referral Rule:  
 Filed: 03/08/04  
 Closed: NO

Jurisdiction: (3) Federal Question (US Govt not a Party)  
 PLF Diversity:  
 DEF Diversity:

Nature of Suit: (893) Environmental Matters

Origin: (1) Original Proceeding  
 Demand:  
 Filing fee: Paid \$150.00 on 03/08/04 receipt # 00122629  
 Trial by: Court

Parties of Record:

Counsel of Record:

PLF 1.1 ADAMS, ENOCH JR

Nancy S. Wainwright  
 13030 Back Road, Suite 555  
 Anchorage, AK 99515  
 907-345-5595

Luke W. Cole  
 450 Geary Street, Suite 500  
 San Francisco, CA 94102  
 415-346-4179  
 FAX 415-346-8723

PLF 2.1 ADAMS, LEROY

Nancy S. Wainwright  
 (see above)

Luke W. Cole  
 (see above)

PLF 3.1 KOENIG, ANDREW

Nancy S. Wainwright  
 (see above)

Luke W. Cole  
 (see above)

PLF 4.1 NORTON, JERRY

Nancy S. Wainwright  
 (see above)

Luke W. Cole  
 (see above)

PLF 5.1 SWAN, DAVID

Nancy S. Wainwright  
 (see above)

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA  
 CIVIL DOCKET PARTY INFORMATION FOR CASE A04-0049--CV (JWS)  
 "ENOCK ADAMS JR ET AL V TECK COMINCO AK INC"

Including terminated parties, excluding terminated counsel

## Parties of Record:

## Counsel of Record:

PLF 6.1 SWAN, JOSEPH

Luke W. Cole  
 (see above)

Nancy S. Wainwright  
 (see above)

DEF 1.1 TECK COMINCO ALASKA INC

Luke W. Cole  
 (see above)

Lawrence L. Hartig  
 Hartig Rhodes et al  
 717 K Street, Suite 201  
 Anchorage, AK 99501  
 907-276-1592  
 FAX 907-277-4352

Sean Halloran  
 Hartig Rhodes et al  
 717 K Street  
 Anchorage, AK 99501  
 907-276-1592  
 FAX 907-277-4352

DII 1.1 NANA REGIONAL CORP INC

James E. Torgerson  
 Heller Ehrman LLP  
 510 L Street, Suite 500  
 Anchorage, AK 99501-1959  
 907-277-1900  
 FAX 907-277-1920

DII 2.1 NORTHWEST ARCTIC BOROUGH

David S. Case  
 Landye Bennett et al  
 701 W. 8th Avenue, Suite 1200  
 Anchorage, AK 99501  
 907-276-5152  
 FAX 907-276-8433

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 Filing fee: Paid \$150.00 on 03/08/04 receipt # 00122629  
 Trial by: Court

| Document # | Filed    | Docket text                                                                                                                               |
|------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1 - 1      | 03/08/04 | Complaint w/exh filed.                                                                                                                    |
| 2 - 1      | 03/08/04 | PLF 1-6 Application re: non-resident attorney Luke W. Cole to appear pro hac vice; fee paid. Rec # 00122630                               |
| 3 - 1      | 03/08/04 | PLF 1-6 motion for svc of PLFs' lead counsel by district court w/attached declaration.                                                    |
| 2 - 2      | 03/12/04 | JWS Order granting plfs' mot of non-resident atty, L. Cole, to appear on behalf of plfs                                                   |
| 4 - 1      | 03/12/04 | JWS Order granting mot for svc of plf's lead cnsl by district crt (3-1); L. Cole to be served instead of N. Wainwright. cc: cnsl, L. Cole |
| NOTE - 1   | 03/26/04 | Issued: summons re: DEF 1.                                                                                                                |
| 5 - 1      | 04/15/04 | DEF 1 Attorney Appearance of L. Hartig.                                                                                                   |
| 6 - 1      | 04/15/04 | DEF 1 Answer to Complaint.                                                                                                                |
| 6A- 1      | 04/16/04 | DEF 1 Disclosure Statement.                                                                                                               |
| 6B- 1      | 04/16/04 | DEF 1 Notice pf related case.                                                                                                             |
| 7 - 1      | 04/19/04 | JWS Minute Order re: initial case stat rpt/case S&P; Rule 16(b) rpt is due w/i 28 days from svc of this ord. cc: cnsl                     |
| 8 - 1      | 04/22/04 | PLF 1-6 Notice of Local Rule 40.2 disclosure of related case.                                                                             |
| 9 - 1      | 05/17/04 | PLF 1-6; DEF 1 Scheduling and Planning Conference Report.                                                                                 |
| 10 - 1     | 05/19/04 | DII 1 unopposed motion for leave to intervene as defendant w/att prop ans.                                                                |
| 10 - 2     | 05/21/04 | JWS Order granting motion for leave to intervene as defendant (10-1). cc: cnsl                                                            |

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|------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11 - 1     | 05/21/04 | DII 1 Answer to Complaint.                                                                                                                                                                                                                      |
| 12 - 1     | 05/21/04 | PLF 1-6; DEF 1 Scheduling & Planning Conference Report.                                                                                                                                                                                         |
| 13 - 1     | 05/21/04 | DEF 1 Notice of filing original signature page to Sched & Planning Conf Rptw/att signature page.                                                                                                                                                |
| 14 - 1     | 05/26/04 | JWS S&P Order setting PT ddlns: Original disc 12/31/04; Disp mots ddln 01/31/05; Estimate of trial 5 days; TBC. cc: cns1                                                                                                                        |
| 15 - 1     | 06/02/04 | JWS Amended Scheduling and Planning Order setting pretrial ddlns: disc to close 03/04/05; disp mots ddln 04/04/05; 7 day TBC estimate. cc: cns1                                                                                                 |
| 16 - 1     | 06/03/04 | DII 2 Unopposed motion for leave to intervene w/att proposed answer.                                                                                                                                                                            |
| 17 - 1     | 06/07/04 | DII 2 motion to strike all references in the complaint to "KRPC" and "KRPC members" w/att memo.                                                                                                                                                 |
| 18 - 1     | 06/07/04 | JWS Order granting unoppo mot for leave to intervene (16-1). cc: cns1                                                                                                                                                                           |
| 19 - 1     | 06/07/04 | DII 2 Answer to Complaint.                                                                                                                                                                                                                      |
| 20 - 1     | 06/14/04 | PLF 1-6 motion for clarification of schedule.                                                                                                                                                                                                   |
| 21 - 1     | 06/15/04 | JWS Order granting motion for clarification of schedule (20-1).                                                                                                                                                                                 |
| 22 - 1     | 06/17/04 | PLF 1-6 Preliminary Witness List.                                                                                                                                                                                                               |
| 23 - 1     | 06/18/04 | PLF 1-6 opposition to DII 2 motion to strike all references in the complaint to "KRPC" and "KRPC members" (17-1) w/att exhs.                                                                                                                    |
| 24 - 1     | 06/23/04 | DII 2 reply to opposition to DII 2 motion to strike all references in the complaint to "KRPC" and "KRPC members" (17-1).                                                                                                                        |
| 25 - 1     | 06/29/04 | JWS Order that plf file revised cmplt w/i 10 days from date of this ord; parties will not need to respond to revised cmplt; terminating in light of this ord: mot to strike all references in cmplt to "KRPC" & "KRPC members" (17-1). cc: cns1 |
| 26 - 1     | 07/07/04 | PLF 1-6 Revised Complaint for Injunctive & Declaratory Relief & Civil Penalties.                                                                                                                                                                |
| 27 - 1     | 12/17/04 | Stipulation for ext of time for svc of expert rebuttal rpts & expert rpt of plfs' economic benefit expert.                                                                                                                                      |
| 27 - 2     | 12/20/04 | JWS Order approving stip for ext of time for svc of expert rebuttal rpts & expert rpts (27-1). cc: cns1                                                                                                                                         |
| 28 - 1     | 01/07/05 | DII 1 Final Witness List.                                                                                                                                                                                                                       |
| 29 - 1     | 01/07/05 | DEF 1 final wit list.                                                                                                                                                                                                                           |
| 30 - 1     | 01/10/05 | PLF 1-6 Final Witness List.                                                                                                                                                                                                                     |
| 31 - 1     | 03/07/05 | PLF 1-6 motion for extension of discovery deadline that all disc propounded by 3/7/05 is deemed timely; depos of M. Botz, R. Fischer, K. Fucik & R. Moran & cont depos of K. Brix & J. Kulas are deemed timely &                                |

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|            |          | plfs may depose no more than 4 fact wits after 3/3/05 disc ddln as long as depositions are taken no more than 45 days after entry of ord approving mot w/att decla.                                                                                                                                                                                                                                                                                |
| 32 - 1     | 03/10/05 | DEF 1 motion to compel depositions of plaintiffs Enoch Adams, Jr., Leroy Adams, Andrew Koenig, Jerry Norton, David Swan & Joseph Swan w/att exhs.                                                                                                                                                                                                                                                                                                  |
| 33 - 1     | 03/17/05 | JWS Minute Order that certification under Rule 37 re: mot @ dkt 32 was not fld; certification due w/i 14 days or mot stricken. cc: cns1                                                                                                                                                                                                                                                                                                            |
| 34 - 1     | 03/17/05 | PLF 1-6 opposition to DEF 1 motion to compel depositions of plaintiffs Enoch Adams, Jr., Leroy Adams, Andrew Koenig, Jerry Norton, David Swan & Joseph Swan (32-1) w/att exhs.                                                                                                                                                                                                                                                                     |
| 35 - 1     | 03/17/05 | DEF 1 Unopposed motion for extension of time until 3/23/05 to respond to motion for extension of discovery deadline.                                                                                                                                                                                                                                                                                                                               |
| 35 - 2     | 03/18/05 | Order granting unoppo mot for ext of time until 3/23/05 to respond to mot for ext of disc ddln (35-1). cc: cns1                                                                                                                                                                                                                                                                                                                                    |
| 36 - 1     | 03/22/05 | DII 1 part opposition to PLF 1-6 motion for extension of discovery deadline that all disc propounded by 3/7/05 is deemed timely; depositions of M. Botz, R. Fischer, K. Fucik & R. Moran & cont depositions of K. Brix & J. Kulas are deemed timely & plfs may depose no more than 4 fact wits after 3/3/05 disc ddln as long as depositions are taken no more than 45 days after entry of ord approving mot (31-1).                               |
| 37 - 1     | 03/23/05 | DEF 1 opposition to PLF 1-6 motion for extension of discovery deadline that all disc propounded by 3/7/05 is deemed timely; depositions of M. Botz, R. Fischer, K. Fucik & R. Moran & cont depositions of K. Brix & J. Kulas are deemed timely & plfs may depose no more than 4 fact wits after 3/3/05 disc ddln as long as depositions are taken no more than 45 days after entry of ord approving mot (31-1) w/att exhs.                         |
| 38 - 1     | 03/25/05 | DEF 1 reply to opposition to DEF 1 motion to compel depositions of plaintiffs Enoch Adams, Jr., Leroy Adams, Andrew Koenig, Jerry Norton, David Swan & Joseph Swan (32-1).                                                                                                                                                                                                                                                                         |
| 39 - 1     | 03/25/05 | DEF 1 Errata filing declaration of Lawrence L. Hartig re: DEF 1 motion to compel depositions of plaintiffs Enoch Adams, Jr., Leroy Adams, Andrew Koenig, Jerry Norton, David Swan & Joseph Swan (32-1) w/att declaration.                                                                                                                                                                                                                          |
| 40 - 1     | 03/30/05 | PLF 1-6 reply to opposition to PLF 1-6 motion for extension of discovery deadline that all disc propounded by 3/7/05 is deemed timely; depositions of M. Botz, R. Fischer, K. Fucik & R. Moran & cont depositions of K. Brix & J. Kulas are deemed timely & plfs may depose no more than 4 fact wits after 3/3/05 disc ddln as long as depositions are taken no more than 45 days after entry of ord approving mot w/att decla. (31-1) w/att exhs. |
| 41 - 1     | 04/04/05 | DEF 1 motion for summary judgment seeking to dismiss all of plaintiffs' claims relating to cadmium w/att exhs.                                                                                                                                                                                                                                                                                                                                     |
| 42 - 1     | 04/04/05 | DEF 1 Notice of filing facsimile copy of signatures to depositions re: DEF 1 mot for sj seeking to dismiss all of plfs' claims relating to cadmium (41-1).                                                                                                                                                                                                                                                                                         |
| 43 - 1     | 04/04/05 | DEF 1 motion to preclude testimony re: costs of feasibility & pilot studies, & re: economic benefits obtained by non-parties w/att exhs.                                                                                                                                                                                                                                                                                                           |

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| 44 - 1     | 04/04/05 | DEF 1 motion for summary judgment seeking to dismiss a portion of plaintiffs' claims relating to monitoring & reporting w/att decla & exhs. (original located in folder behind file)                                                                                |
| 45 - 1     | 04/06/05 | JWS Minute Order granting mot for ext of disc ddln (31-1); disc to close 05/10/05. cc: cns1                                                                                                                                                                         |
| 46 - 1     | 04/07/05 | JWS Order granting motion to compel depositions of plaintiffs Enoch Adams, Jr., Leroy Adams, et al (32-1) on certain conditions. cc: cns1                                                                                                                           |
| 47 - 1     | 04/08/05 | DEF 1 Notice of filing original signature pages to declas re: DEF 1 mot for sj seeking to dismiss all of plfs' clms relating to cadmium (41-1), DEF 1 mot for sj seeking to dismiss a portion of plfs' clms relating to monitoring & reporting (44-1) w/att declas. |
| 48 - 1     | 04/20/05 | PLF 1-6; DEF 1 Stipulation extending time to respond until 5/17/05 to Teck's mots for sj & mot to preclude testimony.                                                                                                                                               |
| 48 - 2     | 04/21/05 | Order approving stip extending time to respond until 5/17/05 to Teck's mots for sj & mot to preclude (48-1). cc: cns1                                                                                                                                               |
| 49 - 1     | 04/21/05 | DII 1 Notice of change of firm name.                                                                                                                                                                                                                                |
| 50 - 1     | 05/11/05 | DEF 1 Stipulation to extend deadline until 5/31/05 for certain deposition discovery.                                                                                                                                                                                |
| 51 - 1     | 05/11/05 | DEF 1 Notice of filing fax signature page.                                                                                                                                                                                                                          |
| 50 - 2     | 05/16/05 | JWS Order approving stip to extend ddln until 5/31/05 for certain depo disc (50-1). cc: cns1                                                                                                                                                                        |
| 52 - 1     | 05/17/05 | PLF 1-6 opposition to DEF 1 motion for summary judgment seeking to dismiss all of plaintiffs' claims relating to cadmium (41-1) w/att exhs.                                                                                                                         |
| 52 - 2     | 05/17/05 | PLF 1-6 motion (cross) for summary judgment on all claims relating to cadmium w/att exhs.                                                                                                                                                                           |
| 53 - 1     | 05/17/05 | PLF 1-6 opposition to DEF 1 motion to preclude testimony re: costs of feasibility & pilot studies, & re: economic benefits obtained by non-parties (43-1) w/att declas & exhs.                                                                                      |
| 54 - 1     | 05/17/05 | PLF 1-6 opposition to DEF 1 motion for summary judgment seeking to dismiss a portion of plaintiffs' claims relating to monitoring & reporting (44-1) w/att declas & exhs.                                                                                           |
| 54 - 2     | 05/17/05 | PLF 1-6 motion (cross) for summary judgment on all claims relating to monitoring & reporting w/att declas & exhs.                                                                                                                                                   |
| 55 - 1     | 05/18/05 | PLF 1-6 motion to strike exhibit attached to Teck Cominco's summary judgment motion on Cadmium claims.                                                                                                                                                              |
| 56 - 1     | 05/31/05 | DEF 1 motion for leave to file unopposed motion late.                                                                                                                                                                                                               |
| 56 - 2     | 06/01/05 | JWS Order granting motion for leave to file unopposed motion late (56-1). cc: cns1                                                                                                                                                                                  |
| 57 - 1     | 06/01/05 | DEF 1 Unopposed motion for ext of time to file replies to oppos to sj mots & mto to exclude.                                                                                                                                                                        |

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| 57 - 2     | 06/02/05 | JWS Order granting unopposed motion for ext of time to file replies to oppos to sj mots & to mot to exclude certain expert testimony (57-1). cc: cns1                                                                                                                                                                                         |
| 58 - 1     | 06/06/05 | DEF 1 opposition to PLF 1-6 motion to strike exhibit attached to Teck Cominco's summary judgment motion on Cadmium claims (55-1).                                                                                                                                                                                                             |
| 59 - 1     | 06/06/05 | DEF 1 reply to opposition to DEF 1 motion for summary judgment seeking to dismiss all of plaintiffs' claims relating to cadmium (41-1) w/att exhs.                                                                                                                                                                                            |
| 59 - 2     | 06/06/05 | DEF 1 opposition to PLF 1-6 motion (cross) for summary judgment on all claims relating to cadmium (52-2) w/att exhs.                                                                                                                                                                                                                          |
| 60 - 1     | 06/06/05 | DEF 1 notice of facsimile cy of signatures to declarations in support of reply to oppo to DEF 1 motion for summary judgment seeking to dismiss all of plaintiffs' claims relating to cadmium (41-1).                                                                                                                                          |
| 61 - 1     | 06/07/05 | DEF 1 reply to opposition to DEF 1 motion for summary judgment seeking to dismiss a portion of plaintiffs' claims relating to monitoring & reporting (original located in folder behind file) (44-1) w/att exhs.                                                                                                                              |
| 61 - 2     | 06/07/05 | DEF 1 opposition to PLF 1-6 motion (cross) for summary judgment on all claims relating to monitoring & reporting (54-2) w/att exhs.                                                                                                                                                                                                           |
| 62 - 1     | 06/07/05 | DEF 1 reply to opposition to DEF 1 motion to preclude testimony re: costs of feasibility & pilot studies, & re: economic benefits obtained by non-parties (43-1) w/att exhs.                                                                                                                                                                  |
| 63 - 1     | 06/13/05 | DEF 1 Notice of filing original signature page of declaration of B. DiLuzio re: DEF 1 motion for summary judgment seeking to dismiss a portion of plaintiffs' claims relating to monitoring & reporting (44-1), oppo to PLF 1-6 motion (cross) for summary judgment on all claims relating to monitoring & reporting (54-2)w/att declaration. |
| 64 - 1     | 06/16/05 | PLF 1-6; DEF 1 Stipulation that plfs have until 6/28/05 to file replies to Teck Cominco's oppos to cross-motions for sj on cadmium & monitoring & reporting viols.                                                                                                                                                                            |
| 64 - 2     | 06/17/05 | Order approving stip that plfs have until 6/28/05 to file replies to Teck Cominco's oppos to cross-mots for sj on cadmium & monitoring & reporting viols (64-1). cc: cns1                                                                                                                                                                     |
| 65 - 1     | 06/24/05 | PLF 1-6 motion to exclude testimony of Bruce Diluzio w/att decla & exhs.                                                                                                                                                                                                                                                                      |
| 66 - 1     | 06/28/05 | PLF 1-6 reply to opposition to PLF 1-6 motion (cross) for summary judgment on all claims relating to cadmium (52-2) w/att decla & exhs.                                                                                                                                                                                                       |
| 67 - 1     | 06/28/05 | PLF 1-6 motion to file brief 3 pages over local rule 10.1(1) limit w/att prop reply brf.                                                                                                                                                                                                                                                      |
| 68 - 1     | 06/29/05 | PLF 1-6 motion to exclude undisclosed documents w/att exhs.                                                                                                                                                                                                                                                                                   |
| 69 - 1     | 06/29/05 | PLF 1-6 motion for 2 business day extension of time to file summary judgment motion w/att decla.                                                                                                                                                                                                                                              |
| 67 - 2     | 06/30/05 | JWS Order granting mot to file brief 3 pages over local rule 10.1(1) limit (67-1). cc: cns1                                                                                                                                                                                                                                                   |

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| 69 - 2     | 06/30/05 | JWS Order granting mot for 2 business day ext of time to file sj mot (69-1). cc: cns1                                                                                                                                                                                |
| 70 - 1     | 06/30/05 | PLF 1-6 reply to opposition to PLF 1-6 motion (cross) for summary judgment on all claims relating to monitoring & reporting (54-2) w/att exhs. (original in folder behind file)                                                                                      |
| 71 - 1     | 06/30/05 | PLF 1-6 Motion for 2 business day extension of time to file summary judgment motion.                                                                                                                                                                                 |
| 72 - 1     | 07/01/05 | PLF 1-6 motion for partial summary judgment to resolve 1,951 violations by Teck w/att memo, declas & exhs. (original in folder behind file)                                                                                                                          |
| 73 - 1     | 07/01/05 | PLF 1-6 revised certificate of svc re: PLF 1-6 mot for part sj to resolve 1,951 violations by Teck (72-1).                                                                                                                                                           |
| 74 - 1     | 07/08/05 | DEF 1 opposition to PLF 1-6 motion to exclude testimony of Bruce Diluzio (65-1) w/att exhs.                                                                                                                                                                          |
| 75 - 1     | 07/08/05 | DEF 1 Stipulation on written discovery in KRPC v Teck Cominco Alaska Inc.                                                                                                                                                                                            |
| 75 - 2     | 07/08/05 | JWS Order approving stip on written disc in KRPC v Teck Cominco Alaska Inc. (75-1). cc: cns1                                                                                                                                                                         |
| 76 - 1     | 07/15/05 | JWS Minute Order denying mot to strike exh attached to Teck Cominco's sj mot on cadmium clms (55-1). cc: cns1                                                                                                                                                        |
| 77 - 1     | 07/18/05 | PLF 1-6 reply to opposition to PLF 1-6 motion to exclude testimony of Bruce Diluzio (65-1).                                                                                                                                                                          |
| 78 - 1     | 07/18/05 | DEF 1 opposition to PLF 1-6 motion to exclude undisclosed documents (68-1) w/att affs & exh.                                                                                                                                                                         |
| 79 - 1     | 07/18/05 | DEF 1 motion for extension of time until 10/1/05 to file response to plaintiffs' motion for partial summary judgment .                                                                                                                                               |
| 80 - 1     | 07/19/05 | DEF 1 Errata to oppo re: PLF 1-6 motion to exclude undisclosed documents (68-1) w/att aff & exh.                                                                                                                                                                     |
| 81 - 1     | 07/25/05 | PLF 1-6 conditional non-opposition to DEF 1 motion for extension of time until 10/1/05 to file response to plaintiffs' motion for partial summary judgment (79-1).                                                                                                   |
| 82 - 1     | 07/28/05 | PLF 1-6 reply to opposition to PLF 1-6 motion to exclude undisclosed documents (68-1) w/att exhs.                                                                                                                                                                    |
| 83 - 1     | 08/02/05 | DEF 1 reply to conditional non-opposition to DEF 1 motion for extension of time until 10/1/05 to file response to plaintiffs' motion for partial summary judgment (79-1) w/att aff.                                                                                  |
| 84 - 1     | 08/04/05 | JWS Minute Order granting mot for ext of time until 10/1/05 to file response to plfs' mot for part sj (79-1); def response due 10/3/05; response to be served by expedited delivery svc; crt not likely to look favorably upon further req for ext of time. cc: cns1 |
| 85 - 1     | 08/05/05 | PLF 1-6 motion for leave to file motion to compel production of documents w/att prop mot.                                                                                                                                                                            |



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| 85 - 2     | 08/09/05 | JWS Order granting mot for leave to file mot to compel production of docs (85-1). cc: cns1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 86 - 1     | 08/09/05 | PLF 1-6 motion to compel documents requested in the requests for supplemental disclosures w/att decla & exhs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 87 - 1     | 08/17/05 | DEF 1 opposition to PLF 1-6 motion to compel documents requested in the requests for supplemental disclosures (86-1) w/att declaration.                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 88 - 1     | 08/17/05 | DEF 1 Notice of filing facsimile copy of signature to decalrations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 89 - 1     | 08/24/05 | DEF 1 Notice of filing original declaration of J.Kulas re: oppo re: PLF 1-6 motion to compel documents requested in the requests for supplemental disclosures (86-1) w/att declaration.                                                                                                                                                                                                                                                                                                                                                                                      |
| 90 - 1     | 08/26/05 | PLF 1-6 reply to opposition to PLF 1-6 motion to compel documents requested in the requests for supplemental disclosures (86-1) w/att exh.                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 91 - 1     | 09/22/05 | JWS Minute Order that plfs file properly authenticated cy of R. Fischer's expert rpt by 9/30/05; defs to review exhs 1 & 2 @ dkt 43 & file corrected exhs if necessary by 9/30/05. cc: cns1                                                                                                                                                                                                                                                                                                                                                                                  |
| 92 - 1     | 09/29/05 | PLF 1-6 Notice of filing Expert Report of Randolph c. Fischer w/att declaration & exh.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 93 - 1     | 09/30/05 | DEF 1 Notice of filing substitute exhs re: DEF 1 motion to preclude testimony re: costs of feasibility & pilot studies, & re: economic benefits obtained by non-parties (43-1) w/att exhs.                                                                                                                                                                                                                                                                                                                                                                                   |
| 94 - 1     | 10/03/05 | DEF 1 motion to stay consideration of all alleged cyanide violations & TDS violations alleged during grayling spawning periods pending finalization of a renewed NPDES permit w/att exh.                                                                                                                                                                                                                                                                                                                                                                                     |
| 95 - 1     | 10/03/05 | DEF 1 motion to strike references in plaintiffs' partial summary judgment motion & SSUF to certain discovery & exhibits from prior case Kivalina Relocation Planning Committee v. Teck Cominco Alaska, Inc.; No. A02-231 CV (JWS) w/att aff & exhs.                                                                                                                                                                                                                                                                                                                          |
| 96 - 1     | 10/03/05 | DEF 1 motion for leave to file overlength opposition to plaintiff's motion for partial summary judgment w/att prop oppo.                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 97 - 1     | 10/04/05 | DEF 1 Certificate of svc re: oppo to PLF 1-6 mot for part sj to resolve 1,951 violations by Teck (72-1), DEF 1 mot to stay consideration of all alleged cyanide violations & TDS violations alleged during grayling spawning periods pending finalization of a renewed NPDES permit (94-1), DEF 1 mot to strike references in plfs' part sj mot & SSUF to certain disc & exhs from prior case Kivalina Relocation Planning Committee v. Teck Cominco Alaska, Inc.; No. A02-231 CV (JWS) (95-1), DEF 1 mot for leave to file overlength oppo to plf's mot for part sj (96-1). |
| 98 - 1     | 10/07/05 | DEF 1 Notice of filing original declas of J. Kulas, J. Swenseid, K. Brix, E. Koon as exhs re: oppo to PLF 1-6 mot for part sj to resolve 1,951 violations by Teck (72-1) w/att declas.                                                                                                                                                                                                                                                                                                                                                                                       |
| 99 - 1     | 10/11/05 | JWS Order granting mot for leave to file overlength oppo to plf's mot for part sj (96-1). cc: cns1                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA  
 CIVIL DOCKET ENTRIES FOR CASE A04-0049--CV (JWS)  
 "ENOCH ADAMS JR ET AL V TECK COMINCO AK INC"

For all filing dates

| Document # | Filed    | Docket text                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 100 - 1    | 10/11/05 | DEF 1 opposition to PLF 1-6 motion for partial summary judgment to resolve 1,951 violations by Teck (72-1) w/att exhs. (original in folder behind file)                                                                                                                                                                                                                                                                                                                                                      |
| 101 - 1    | 10/12/05 | DEF 1 Notice of filing original declas of Kulas & Weakley re: reply to oppo re: DEF 1 mot for sj seeking to dismiss all of plfs' clms relating to cadmium (41-1) & oppo to PLF 1-6 mot (cross) for sj on all clms relating to cadmium (52-2); original decla of Thompson re: reply to oppo to DEF 1 mot for sj seeking to dismiss a portion of plfs' clms relating to monitoring & reporting (44-1) & oppo to PLF 1-6 mot (cross) for sj on all clms relating to monitoring & reporting (54-2) w/att declas. |
| 102 - 1    | 10/13/05 | DEF 1 Request for Oral Argument re: PLF 1-6 mot for part sj to resolve 1,951 violations by Teck (72-1), DEF 1 mot to stay consideration of all alleged cyanide violations & TDS violations alleged during grayling spawning periods pending finalization of a renewed NPDES permit (94-1).                                                                                                                                                                                                                   |
| 103 - 1    | 10/13/05 | PLF 1-6; DEF 1 Stipulation that plfs have until 11/2/05 to file oppos to def's mot to stay & mot to strike; def's replies to mot to stay & mot to strike due w/i 14 days of filing of the oppos; plfs have until 12/2/05 to file reply in support of mot for part sj.                                                                                                                                                                                                                                        |
| 103 - 2    | 10/13/05 | PLF 1-6; DEF 1 non-opposition to DEF 1 motion for leave to file overlength opposition to plaintiff's motion for partial summary judgment (96-1).                                                                                                                                                                                                                                                                                                                                                             |
| 103 - 3    | 10/17/05 | JWS Order approving stip that plfs have until 11/2/05 to file oppos to def's mot to stay & mot to strike (103-1); def's replies due w/i 14 days of filing of oppos; plfs have until 12/2/05 to file reply in support of mot for part sj. cc: cns1                                                                                                                                                                                                                                                            |
| 104 - 1    | 10/28/05 | JWS Order denying mot for sj seeking to dismiss all of plaintiffs' clms rela (41-1); granting/denying mot (cross) for sj on all clms relating to cadmium (52-2). cc: cns1                                                                                                                                                                                                                                                                                                                                    |
| 105 - 1    | 11/02/05 | PLF 1-6 motion to strike affidavit of Luke Boles in opposition to plaintiffs' motion for partial summary judgment w/att exhs.                                                                                                                                                                                                                                                                                                                                                                                |
| 106 - 1    | 11/02/05 | PLF 1-6 opposition to DEF 1 motion to stay consideration of all alleged cyanide violations & TDS violations alleged during grayling spawning periods pending finalization of a renewed NPDES permit (94-1) w/att decla & exhs.                                                                                                                                                                                                                                                                               |
| 107 - 1    | 11/02/05 | PLF 1-6 opposition to DEF 1 motion to strike references in plaintiffs' partial summary judgment motion & SSUF to certain discovery & exhibits from prior case Kivalina Relocation Planning Committee v. Teck Cominco Alaska, Inc.; No. A02-231 CV (JWS) (95-1) w/att declas & exhs.                                                                                                                                                                                                                          |
| 108 - 1    | 11/02/05 | PLF 1-6 Notice of filing faxed declas of Jerry Norton & Colleen Swan re: PLF 1-6 oppo to DEF 1 motion to strike references in plaintiffs' partial summary judgment motion & SSUF to certain discovery & exhibits from prior case Kivalina Relocation Planning Committee v. Teck Cominco Alaska, Inc.; No. A02-231 CV (JWS) (95-1).                                                                                                                                                                           |
| 109 - 1    | 11/03/05 | JWS Order granting mot to compel docs requested in the reqs for suppl disclos (86-1); def to produce docs by 11/21/05. cc: cns1                                                                                                                                                                                                                                                                                                                                                                              |

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA  
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| Document # | Filed    | Docket text                                                                                                                                                                                                                                                                                                                                            |
|------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 110 - 1    | 11/04/05 | JWS Minute Order that def's oppo to mot to exclude undisclosed docs @ dkt 78 is missing page 2 of 7; def to file & serve page 2 by 11/9/05. cc: cns1                                                                                                                                                                                                   |
| 111 - 1    | 11/04/05 | JWS Order denying mot to exclude testimony of Bruce Diluzio (65-1); granting mot to preclude testimony re: costs of feasibility & pilot studies, & re: (43-1). cc: cns1                                                                                                                                                                                |
| 112 - 1    | 11/04/05 | DEF 1 Errata to oppo re: PLF 1-6 motion to exclude undisclosed documents (68-1) w/att oppo w/depo & affs                                                                                                                                                                                                                                               |
| 113 - 1    | 11/07/05 | PLF 1-6 Notice of non-opposition to request for oral argument on sj mot and opposition to request for oral argument on motion for stay.                                                                                                                                                                                                                |
| 114 - 1    | 11/07/05 | PLF 1-6 Notice Clarification of Brief Caption on the opposition to motion to strike Cyanide & TDS violations.                                                                                                                                                                                                                                          |
| 115 - 1    | 11/07/05 | PLF 1-6 Notice of typographical error in the order at dkt 104.                                                                                                                                                                                                                                                                                         |
| 116 - 1    | 11/10/05 | JWS Order granting/denying motion to exclude undisclosed documents (68-1) as stated. cc: cns1                                                                                                                                                                                                                                                          |
| 117 - 1    | 11/16/05 | PLF 1-6 Notice of filing orig signatures of J. Norton & C. Swan declarations re: oppo re: DEF 1 motion to strike references in plaintiffs' partial summary judgment motion & SSUF to certain discovery & exhibits from prior case Kivalina Relocation Planning Committee v. Teck Cominco Alaska, Inc.; No. A02-231 CV (JWS) (95-1) w/att declarations. |
| 118 - 1    | 11/16/05 | DEF 1 opposition to PLF 1-6 motion to strike affidavit of Luke Boles in opposition to plaintiffs' motion for partial summary judgment (105-1) w/att decla & exh.                                                                                                                                                                                       |
| 119 - 1    | 11/16/05 | DEF 1 reply to opposition to DEF 1 motion to stay consideration of all alleged cyanide violations & TDS violations alleged during grayling spawning periods pending finalization of a renewed NPDES permit (94-1) w/att declas & exhs                                                                                                                  |
| 120 - 1    | 11/17/05 | DEF 1 reply to opposition to DEF 1 motion to strike references in plaintiffs' partial summary judgment motion & SSUF to certain discovery & exhibits from prior case Kivalina Relocation Planning Committee v. Teck Cominco Alaska, Inc.; No. A02-231 CV (JWS) (95-1).                                                                                 |
| 121 - 1    | 11/28/05 | PLF 1-6 reply to opposition to PLF 1-6 motion to strike affidavit of Luke Boles in opposition to plaintiffs' motion for partial summary judgment (105-1).                                                                                                                                                                                              |